App F IX 4

Previous References 1944 Annual Vol File No 10-44
Serial Nos 101, 102
131, 132

Later References
10-44-103, 104

GENERAL AND REVENUE SECRETARIAT

Serial Nos 44 30

Part B for August 1944

SUBJECT

Revision of the scale of pay of the Market Inspector of Bi'ai new Market + change of designation as Market Supt
The Hon Commr Bi'ai
Comptroller
L 12366 - 9 dated 7-CC 44
Sanctions Rs 100 10-152

5397 & 5414

Continuation Sheet ml File No / Current No 10 of 43 Page

Letter No AS-C 1379/42 43 & 21-2-44 from the ml comm, Bng forwarding a/c copy of the resolution of the ml cl & 24-3-43 revising the scale of Pay of the Market Inspector of the city of New Market from 60-4-80 to 100-10-150

The ml Comm's letter is submitted for perusal & orders

"C" V In a subsequent D.O letter dated the 23rd July 1944, the ml Comm has stated that he is not in favour of the changes proposed

27/2 V In the circs stated, it is for orders if the resolution of the ml Council may be pursued further

Lawsey) for 28/2/44

V No case is made out either to change the designation or to create a higher grade.

V The Commissioner's views is awaited

6 May not like a proposal

Market 2 SG

28-2-44

for the 2 3 cls

3-3-44

6 Draft reply

for

CF TI TEG
LSG & P H
Dat 28.2.44
No 5876

2/

Continuation Sheet ml File No 5414 J 7362 L
Current No 110 of 43 Page

"Jt should work a draft letter for approval

WLB 5/3 (10) Jt may 5/8/44

To the ml Commr. Bng thro PDL 102 GEN
no L 9361 dy 8-3-44
States that Govt consider that no case is made out either to change the designation of the post or to revise the scale of pay of the post & that the proposals do not accordingly commend themselves to Govt

Letter no 6336 Ack

Letter no A & C 1379/42 43 dy 22-5-44 from the Addl Jt Secy ml cl, Bangalore, requesting that the orders of Govt in regard to the change of designation & pay of the City New Market Inspector may be reconsidered as resolved by the ml cl at their meeting held on 24-4-44 ~~as agreed~~

(11) The Addl Secy of the city ml cl Bangalore has addressed the letter to Govt direct ? as resolved by the ml cl sought for orders.

WLB 2-6/5 (12) What the provision of Law on the subject ? Jt 26/5/44

(13) Subd Kind reference is unit- Section 64(3) of the Allyson city Municipalities Act 1933

16/6 (14) The President, Municipal ML Cl has submitted the proposal direct- to the Govt in accordance with the resolution of the ML Cl authorising him to write to Govt the usual procedure is that, such cases, the ML Cl refers the matter to Govt and the President may append his note while fd the Case to Govt

(15) The point for consideration is under the provisions of the act-rules are whether the President may write to Govt direct- in such cases, when authorized by the ML Cl & whether such reports may be taken into consideration, without calling for the opinion of the Law The opinion of the Law dept may perhaps be obtained on the point

(16) In favour of opinion Law dept Law dept

FOY LAW DEPT 23 JUN 1944 BOMBAY

No Reg No 24 21-6-44

4387

Continuation Sheet | File No / Current No | of | Page

17 A copy of the Entry Homes Parties Act is herewith put up for reference

18 Submitted for orders with reference to paras 14 to 16 supra

Law 4/44
3 7 44

Kellie 3/7

Accordingly & sec 24 (3) of the Act all correspondence between a Municipal Council & the Govt should be conducted through the Governor, & as such even the Municipal Council has to address Govt through the Governor Hence sec 245 (11) is proved since one of the powers of the Minister-elect is the Governor's power under sec 24, but in so vesting the Powers of Governor in the Municipal Council the power of the Governor under sec 24 (3) of the Act has not been vested in the Municipal Council

19 I therefore submit the Governor's consent be sought before action is commenced in the Municipal Council

20 The Municipal Council has under sec 248 (11) (a) of the Act power to appoint persons for a post not exceeding £60/ but this is a post carrying a pay of £100/ a year & vests in the Municipal Council & as such I think the Municipal Council need not consult

Law Secretary 3/7/44

21 What is the usual procedure?

Also state any finding in the above

Govt House No 2 Mail Room
5 JUL 1944
GOVT

6 7 44

7362

Please put up a note & return

936/5

Mr Secy
Lgj
YC

3
6/7/44
6/7/44

23) The present procedure in regard to the Correspondence to & fro put to the Cabt Mtg is as follows:—

The Municipal Commr generally initials the correspondence and it passes thro' the President, who, being merely a Channel of communication, endorses it as "forwarded with compliments" and adds any remarks, if necessary

There are no instances wherein the President has forwarded direct to first results of the kind passed, except the proceedings of the Mtg

24) Although there is no bar — in the rules set for the President dealing up with references direct to first, yet it seems to be the spirit of the Act that the ML Commr should primarily be the officer who should correspond with first in matters affecting the Municipal Administration. It seems necessary

6. 429/444

7302

As a matter of expediency & observance of the ~~precedent~~ procedure hitherto in force so that the position of the Municipal Council may not be weakened by the adoption of any other procedure there are no other standing instructions on the subject, except the provisions of Section 24 (3) of the Act, & the contention that has grown up is a consequence of the effect of that section

Attorney Law Secy MLA) for 13/7/1911

25 The powers & duties of a Municipal Commissioner are enumerated in Sec 245 of the City Municipal Act.

26 Sec 24 of the Town Act regulates the functions of the President who is subject to the provisions Chapter XII wherein the duties & powers of the Municipal Council are noted

27 Hence nothing in the Act to show that all correspondence between the Council & Govt should be only through the Municipal Commissioner On the other hand Sec 24 (3) of the Act prescribes the Channel of Communication with the Govt It says "all correspondence between a Municipal Council & the Govt shall be conducted through the President The President shall submit

delay transmit all communications addressed through him by the Municipal Commissioner to the Govt or by the Govt to the Municipal Commissioner. Now then, it can be definitely said that no communication between the Govt & the Municipal Commissioner in respect of Municipal matters should pass without the knowledge of the President — it must pass through the President. It follows that the Municipal Commissioner cannot correspond with the Govt in respect of Municipal matters directly with the Govt — the law is that such correspondence should be only through the President

Why then can the President directly correspond with the Govt in respect of Municipal matters? We say that the procedure is that it is the Municipal Commissioner that generally conducts the correspondence, & it passes through the President Now, if we read Sec 24(1)(f) it is seen that the President has the power to furnish to Govt a copy of every resolution passed at the meeting of the Council, [illegible] There is nothing per the Act to show that the President can directly communicate with the Govt — but he is merely the channel of Communication with Govt — So the question

arises as to how, in the event of to pursue such to
have the copy of the Resolution passed on
the Council of the directly or through
the Municipal Commissioner? There is
no specific provision in the Act to show that the
President should supply to Govt. the copies of
Resolutions passed on the Council only
through the Municipal Commissioner through
the President or, as per Sec 24(3), a
channel of Communication with Govt, but,
as there is no specific provision to prevent
the Pres directly communicating with
the Govt., inspite of the fact it cannot
be said that the act is illegal, if
the Communicate directly with Govt, in
particular case. In this case the
Municipal Commissioner was not-
present in the meeting when the
said Resolution was passed, & as
such, the President emphasized
Resolution directly to Govt, perhaps, was
obliged to send the Resolution
directly to Govt. Hence the act
of the President in this particular
case cannot be held to be
illegal

But, as per Sec 24(3)
of the Act, the President is
merely a channel through whom

communications with Govt have to pass, ± cannot always in all cases, communications directly with Govt as a matter of right, nor can he transact Communications directly with Govt in municipal matters

7 4/ 734

SECY TO LEGIT DEPT 1 JUL 61 GOVT OF MYSORE

Law Secretary

3
19/7/44

Law
19-7-44

Govt Secy
Legy
Law

3
19/7/44
21-7-44

30) The question in this file is about the resolution of the municipal Council dt 24-4-44 requesting Govt to reconsider their orders declining to sanction the proposal to raise the pay & Status of the Market Inspector Gr I

31) The point regarding the reference made to Govt direct by the Pdt of the municipal Council was also raised & the Law Section has stated that the reference made direct by the Pdt is to legal Solicitor orders.

WB 24/7

32 Refer para 22 Supra.

33) Orders for withdrawal of the reference made by the President - to be withdrawn without the knowledge of the Municipal Commissioner although the matter may be taken into consideration in

(c)

34) The question of changing the designation of the Market Inspector to that of Market Superintendent was before and receiving the scale of pay at Rs 100 – 10 – 150 was before the Govt previously & views retained (vide orders at paras 1 to 7 of the note dated

35) A reconsideration of the question is now requested by the President at the second request of the Mcd stating forwarding the views of the Govt explained in detail by the President in his letter dated 22 Jan 66

OC 21 1376 OUT
TO T.O. MYSORE

Law Sec
21/1/66

The President, Sewage Tax Reference should, instead of adopting the usual procedure carefully weighing the views of the Commissioner. No case to reconsider the order passed

THE MINISTER
FOR L S G & P H
to 24 7 66
No 656

Under SG
24/1/66

may be sanctioned

:R 7362/1

mc 10-43

Draft for Plume

for

11

sub with a draft Eo for appl.

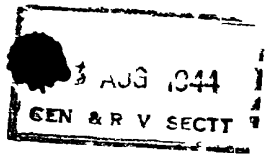
Ltr
3/8

Dmef

Nb

AL/32) To Mr mc Commr, Bur of Pub

Mr Comptroller



PRO L/1238-9/37-8-44

BJ/6

Sanchois the proposed

BANGALORE CITY MUNICIPALITY

No A5-C 1379/42-43

Encl

MUNICIPAL OFFICES

Bangalore 21st Feb *1944*

FROM

P SURYANARAYANA SETTI ESQ BA LL B
MUNICIPAL COMMISSIONER
Bangalore City

GEN & REV SECRETARIAT 5397 25 FEB 1944 L S G BRANCH

C Narayanaswamy Naidu, Esq , B A , B L ,

SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
LAW DEPARTMENT BANGALORE

SIR

,I have the honour to state that the Market Committee, at their Meeting held on 16-2-1943, resolved that the designation of the Market Inspector be changed as Market Superintendent and that his salary be started on Rs 100/- in grade Rs 100-10-150 This was also approved by the Municipal Council at their Meeting held on 24-3-1943 Copies of their resolutions together with a proposition statement in duplicate are herein enclosed for favour of obtaining orders of Government thereto

In this connection, it has to be stated that the present Market Inspector is getting a pay of Rs 72/- in grade 60-4-80 and has passed only the Mysore Lower Secondary Examination and the Police Training School Examination and has put in a service of 21 years in this Municipality

On a reference made to the President, City Municipal Council, Mysore, to intimate the designation of the Officer in charge of the Municipal Market there as also the pay of the said post, a reply has been received from him, stating that there are three markets in the Mysore City and that - Devaraja Market which is the biggest is in direct charge of a Sergeant whose scale of pay is Rs 45-3-60 and that he is

13/

assisted by one Assistant Sergeant on Rs 30-1-35 The other two markets are said to be in charge of Assistant Sergeants on Rs 25/- plus Rs 5/- C A, each and that the Sergeant of Devaraja Market supervises the collections - there also

I have the honour to be,
Sir,
Your most obedient servant,

MUNICIPAL COMMISSIONER

Forwarded with compliments

PRESIDENT
23/2/44

ksm

Proceedings of the Adjourned General Meeting of the City Municipal Council, Bangalore held on Saturday the 27th March 1943 at 2 P.M. in the Council Chambers of the City Municipal Offices, Bangalore City.

Present

V.K. Govindarajulu, Esq., B A , B.L , (Hon President)

Messrs.	Messrs.
1. W.H Hanumanthappa	10 M A Gopalaswamy Iyengar, M.A , B L
2 R. Subbanna	11. P.R Ramiah, B.Sc.
3 T L.Gangoji Rao	12 C. Krishna Rao
4 V Venkataramanappa	13 M.K Narayana Iyengar, B.A , B L
5 B.S Shankarappa Setty	14. L Krishnaswami Pillay
6. V. Venkataswamy Chetty	15. B. Subbiah, B Sc , LL.B.
7. K. Ganga Setty	16 Kota Ramakshiah etty
8. K V. Ramaswamy, B A	17. Mohamed Ghouse
9 H.R. Guruv Reddy, B.A., LL.B	18. A.R A Basith

19. V. Vhikkayallappa

Absent

Messrs	Messrs
1. Ramalal Thiwari	6. K. Shamaraja Iyengar, B A.
2 L S Raju, M.A., (Hons) B L.	7. C.I. arasinga Rao, B.A , B L
3. G. Nanjappa	8 Mirza Azeezulla Baig
4. K Hanumanthaiya, B.A., LL.B.	9. H.B. Mohamed Khan
5 T. Gangadharaswamy.	10 Dr. . Royan, M.D

Extract from the proceedings of the Meeting of the Market Committee held on 16-2-1943

15

Subject No 3 -

Resolved that the designation of the Market Inspector be changed to Market Superintendent It is further resolved that the salary of the Market Inspector be started on Rs 100/- in grade 100-10-150

Sd B Subbiah,
Chairman,
Market Committee

Proceedings of the Adjourned Meeting of the Bangalore City Municipal Council, dated 27-3-1943

--

Subject No 17 -

Opinion of the Market Committee Meeting dated 16-2-1943 that the designation of the Market Inspector be changed to Market Superintendent and that his salary be started on Rs 100/- in grade 100-10-150

Resolution - Approved

Sd V K Govindarajulu,
Hon President

"Copy"

Municipal Commissioner

2

ksm

Statement of proposition for revision of establishment of Market Establishment

Order sanctioning present establishment		Office to which the proposition refers	Nature of charge										Proposition									
			Permanent scale						Proposed scale						Permanent		Temporary					
Number	Date		Number	Designation	Pay			Average cost	Number	Designation	Pay			Average cost	Increase per month	Decrease Per month	Increase per month		Decrease per month.		Grounds of proposition	No and date of Council's resolution
					Minimum	Increment	Maximum				Minimum	Increment	Maximum				Period	Amount	Period	Amount		
			1	Market Inspector on Rs 60-4-80	60	4	80	73 1/3	1	M S	100	10	150	133 1/3								1 Market Superintendent on Rs 100-10-150
			1	" Assist Inspector on 30-2-50	30	2	50		1	Market Assistant Inspector on 30-2-50	30	2	50	41 1/9							no change	
			3	Bill collectors on Rs 25-1-30	25x3 / 75	1	90	85	3	Three bill collectors on Rs 25-1-30	25x3 / 75		30x3 / 90	85							No change	
			19	Peons on different rates of pay	241		241	241	19	Peons on different rates of pay	241		241								No change	
Total					406		461	440/73			445		531	500 7/9	60							

Municipal Commissioner
for Bangalore City Municipal
17/12/43

Revenue Officer

Statement of proposition for revision of establishment of Market Establishment

Order sanctioning present establishment: Number	Order sanctioning present establishment: Date	Office to which the proposition refers.	Nature of charge: Permanent scale: Number	Permanent scale: Designation	Permanent scale: Pay: Minimum	Permanent scale: Pay: Increment	Permanent scale: Pay: Maximum	Permanent scale: Average cost	Proposed scale: Number	Proposed scale: Designation	Proposed scale: Pay: Minimum	Proposed scale: Pay: Increment	Proposed scale: Pay: Maximum	Proposed scale: Average cost	Proposition: permanent: Increase per month	Proposition: permanent: Decrease per month	Proposition: Temporary: Increase per month: Period	Proposition: Temporary: Increase per month: Amount	Proposition: Temporary: Decrease per month: Period	Proposition: Temporary: Decrease per month: Amount	Grounds of proposition	No. and date of Council's resolution
			1	1 Market Inspector on Rs 60-4-80	60	4	80	73 1/3	1	1 Market Superintendent on Rs	100	10	150	133 1/3								
			1	" Assist Inspector on 30-2-50	30	2	50		1	Market Assistant Inspector on 30-2½-50	30	2	50	41 1/9							No change	
			3	3 Bill collectors on Rs 25-1-30	25	1	90	85	3	Three bill collectors on Rs 25-1-30	25x3 / 75	30x3 / 90		85							No change	
			19	19 Peons on different rates of pay	241		241	241		19 Peons on different rates of pay	241		241								No change	
Total					406		461	440/7/9			446		531	500 7/9	00							

Municipal Commissioner
& Bangalore City Municipal
17/2/43

Revenue Officer
18/2/43

MR P SUBVANARAYANA SETTI B A LL B 77 5414/L CITY MUNICIPAL OFFICES

BANGALORE

P C 121/43 44 Dated 23-2-44 194

Dear r, arayanaswany Naidu ,

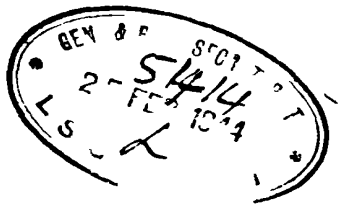
In invitin to this office official letter no,A5-C1379/42-43 dated 21-2-44, regarding change of designation of the Market Inspector and also the raising of his salary, I am not in favour of the changes proposed, for the reasons stated in the letter

Yours Sincerely,

P Lingaraja Setti

C Narayanaswany Naidu Esq B A B L ,

Secretary to Government
Law Department
BANGALORE



Appendix F G

SUBJECT

Section ML
File No 10 — 43
Serial No 102

Diary No of letter replied to

No L9381

To

General and Revenue Secretariat

( )

the *194*

The ML Commr, Board of Revenue

Sir,

Date of issue 8/3

with reference to your letter No AS-C 1379/42-43 & 21-2-44 on the matter of revising the scale of pay of the Market Inspector of the city of New Market, Below, ~~I am directed to~~ and change his designation to that of Market Superintendent, I am directed to state that ~~for~~ consideration has been given to the case but no case is made out either to change the designation of the post or to revise the scale of pay of the post or to create a ~~higher~~ grade of that

Signed by Mr C M Rao

List of enclosures

Copied by

as resolved by the City Municipal Council at their meeting held on 27.3.43

Examined by

WD 04161—GPB—60 000—24 10 41

19

~~does~~ do accounts

~~Whether~~ the proposals cannot

~~be sanctioned~~ to just

I have etc

for

Hon sec to Court

WHB - Law Deptt

5/3

PH 10-43-131 pt 7362

BANGALORE CITY MUNICIPALITY

GEN & REV SECRETARIAT 7362 24 MAY 1944 L S G BRANCH

MUNICIPAL OFFICES

No As c 1379/42-43

Bangalore 22md May 1944

FROM

C N Narasinga Rau, Esq , B A , B L ,
HON PRESIDENT
CITY MUNICIPAL COUNCIL
BANGALORE

24 MAY 1944 GEN & R / SECRETARIAT

To

C Narayanaswamy Naidu, Esq , B A , B L ,
Secretary to Government,
Law Department, BANGALORE

SIR

I have the honour to state that your letter No L 9381/M1 10-43-102 dated 8-3-1944 on the resolution of the Municipal Council dated 27-3-1943 regarding the change of designation of the Market Inspector to that of the Market Superintendent and change of pay of the post to Rs 100-10-150, came up before the Municipal Council on 24-4-1944 and the Municipal Council have resolved "that the Government be requested to reconsider their orders and the President be authorised to write to Government - making a case for raising the status of the Market Inspector to that of the Market Superintendent and revising the scale of the post to Rs 100-10-150" I am writing this letter in pursuance of that resolution

At present the Officer in charge of the City New Market is the Market Inspector in the grade of 60-4-80 The pay of the Official was fixed 15 years ago when the area of the City Market and the Revenue was far less than that of the present area and revenue The income of the City Central Market at present is about Rs 1,20,000/- which is almost three times the entire revenue of the Town Municipality which has a Chief Officer of the grade of Rs 100/- to Rs 125/- p m Many a time the view has been expressed that besides this Central Market, there are seven more markets and with the growth of the City and its several Extensions, there are five Mutton Markets, besides the other following markets,

1 Taramandalpet Market
2 Akkipet Market
3 Visveswarapuram Market
4 Chamarajpet Market
5 Basavanagudi Market and
6 Malleswaram Market

and that the Market Inspector at present is supervising and attending to the collection of the City Central Market only and that there is no direct supervision of the other markets by any Officer, that the supervision of the other markets is under the Revenue Officer who is burdened with other very heavy responsibilities and such state of things is not conducive to the efficient management of Markets It is the view that to bring under proper supervision and control matters of discipline, sanitation and collections of all markets in the City under one Officer with the status and rank of a Superintendent, the Central Market Inspector should be made a Superintendent of all markets with the proposed revised scale of pay and in the interest of Municipal work and its revenue, such a change is very desirable The Bangalore City Central Market is one of the biggest in the

the Southern India in area and revenue, even the Markets in - Madras and other important cities in Southern India being smaller in area and smaller in income Officers in charge of these markets are designated as Superintendents and draw very much higher salaries The Officer in charge of the C & M Station Market is understood to be getting a pay of Rs 150/- per month I may also bring to the notice of Government these other considerations

The Revenue of the Municipality consists of assessed taxes, miscellaneous taxes and Octroi and Toll Revenue The annual demand of the assessed and Miscellaneous taxes is Rs 17,50,000/- and that of the Octroi & Toll is about Rs 3,50,000/- in normal days and about Rs 5,00,000/- in these abnormal war period as can be seen from the figures in the Budget and Administration Report There are two Officers of equal grade, namely, the Revenue Officer and the Octroi Superintendent for the supervision and collection of these three items of revenue So far as the work of the Octroi Superintendent is concerned no assistance to him is called for, but the Revenue Officer requires relief in his work The Revenue as stated above is Rs 17,50,000/- The Revenue Officer is in charge of supervision and collection of assessed taxes, 2 City Central Market and other minor markets 3 Public Conveyance Department 4 Assessment and collection of profession tax 5 City Cattle Pound 6 Cart Stand 7 Collection of contract - amounts and minor items of miscellaneous rent on Municipal land 8 Collection of animal and vehicle taxes, sewage farm and slaughter house collections etc , The Municipality is in the near future contemplating General Revision of assessment and there is no doubt that under assessed taxes, there will be very heavy income to collect There is a proposal also of leasing out the Koramanga Tank which is expected to yield about Rs 25,000/- per year This will further increase the work of the Revenue Officer I need not say that there are very heavy arrears of tax amounting to nearly Rs 5,00,000/- to be collected.

It may be possible to entrust some of these items to the Market Superintendent who may be given the supervision of all the markets in the City and miscellaneous items of revenue, which may be decided upon by the Council Should all the oth markets and some of these miscellaneous items of revenue be p under the control of the Market Superintendent, there is ever hope that the markets will be better organized and yield bett results while at the same time the Revenue Officer will be gi the necessary relief and be free to concentrate upon the - collection of assessed taxes and the other items of income Superintendent of the Markets may be under the direct supervi of the Commissioner

In conclusion, I wish to state that the change proposed i the Municipal Council is necessary and desirable from all the points of view and I request that the Government may be pleas to reconsider their view in this matter and sanction the prop of the Municipal Council in the matter of changing the design of the Market Inspector to that of the Market Superintendent revising the scale of pay to Rs 100-10-150

I have the honour to be
Sir,
Your most obedient serva

C V Narasimhaiah

Honorary President

[illegible] Ordinary General Meeting of Council held at 3 P.M. in the chambers of the City Municipal Corporation City.

Present

C N. Narasinga Rao, Esq , B A , B L (Hon President)

Messrs		Messrs	
1	G R Ethirajulu Naidu, Esq , B A , B L	11	P R Ramiah, B Sc
2	W.H Hanumanthappa	12	T T Sharma
3	Gundenahalli Nanjappa	13	M.A Gopalaswamy Iyengar, M.A B
4	C. Chenniah	14	M K Narayana Iyengar, B A , B L
5	Singam Rangaswamappa	15	Mrs Dwaraka Bai Cadambi
6.	S Viswamurthy, B A	16	H C Suryanarayana Rao
7	H V Shankarappa	17	K M Naganna
8	D Venkataramanappa	18	Misrilal Parasumul
9	B N Gupta	19	A J Khaleel, B A-, B L
10	K N Ramaswamy, B A ,	20	Mirza Azeezulla Beig

Absent

Messrs		Messrs	
1.	M V Veerappa	5	P. Sivashankar, B A , LL.B
2	N Keshaviengar, B A , B L	6	L S Raju M A (Hons) B L
3.	Ramalal Thiwari	7	K Ambrose Ananda, B A , L T
4	P V Ramachandra Gupta	8	S Ghouse Mohiyuddin
		9.	A K Jayamuthu Raju

Subject No Ordy 3(e)- 23

Proceedings of the Bangalore City Municipal Council Meeting dated 24-4-1944 ---

3 (e)

Letter No L 9381/M1 10-43-102 dated 8-3-1944 from the Law Secretary that no case is made out either to change the designation or to revise the scale of pay of the Market Inspector

(Vide typed copy enclosed, for proceedings)

Council Proceedings dated 24-4-44

Subject No Ordy 3(e)

Mr H C Suryanarayana Rao observed that the Market Committee had considered the question in detail and come to a decision that such a change was very necessary, as this Market was the first of its kind in India except Calcutta and Then the Municipal Council considered it in detail and agreed with the Market Committee But while xhe forwarding the resolution of the Council, the Commissioner had differed from that He compared this Market with the Markets in Mysore and Kolar and the purport of the letter is not inconsonance with the resolution The power of changing the designation and fixing the pay of the Market Inspector vested in the Council and it was not right on the part of the Government to have turned down this resolution and thus interfere with their powers The Government should again be approached to reconsider their order and approve the resolution of the Council

Mr G Nanjappa supporting Mr H C Suryanarayana Rao said that when the Council approved of the Market Committee opinion, it had no idea of appointing any particular individual to the post But the letter to Government contains details about the qualification, exrvice service and pay of the present Market Inspector Further, this Market had been compared with the Market in Mysore While the revenue of the Mysore Market was about 40,000/- the revenue of this Market is about 1,25,000/- Instead of comparing with the Mysore Market, it would have been better if this was compared with the markets in Bombay, Madras and Calcutta Since the Commissioner was not present in the meeting, they need not criticise him behind his back The Council may now resolve that the Government Order be cancelled and the resolution sanctioned

Mr S Visva Murty observed that if only the Commissioner had recommended the case, the Government would not have turned down the resolution

Mr W H Hanumanthappa observed that the Commissioner was not empowered under the Act to differ from the resolution of the Council He has simply to forward the resolutions for the orders of Government without commenting on them Further, prior to 1933, the Commissioners were writing D Os to Government without the knowledge of the President But after 1933, this was stopped by an amendment of the Act and the Commissioner is not empowered to write direct

On a query from Mr B N Gupta, the President informed the House that the letter written in this connection was no D O letter but a regular communication which had passed through the President

Mr W H Hanumanthappa continuing his speech said that there has been a delay of nearly one year in forwarding the Council resolution to Government, and the same has been sent to Government when there was an official President, viz , the Deputy Commissioner If the Commissioner differed from the Council, he could have placed a Note before them for reconsideration of the matter Further, he could have compared this Market with the Market in C & M Station Now the Council should resolve to request Government to reconsider their Order and sanction the resolution of the Council and the President may be authorised to make out a case and write to Government

At this stage, Mr H C Suryanarayana Rao moved that the Government be requested to reconsider and the President may be authorised authorised to make out a case for reconsideration

Mr W H Hanumanthappa seconded the above and Mr G Nanjappa supported it

Mr H T Sharma speaking next said that it was not proper on the part of the Commissioner to have written against the resolution Act does not permit him to give his opinion in these matters, and has taken the power himself He has simply to forward the resolutions without comments whatsoever thereon It is by such things that the cordial relationship between the Council and the Government would brake Further, the Commissioner, being no member of the Council, under the Act, has not the power to give his opinion

The President informed the House that under the Act the Commissioner had all the powers and privileges of a Member exce the power of voting

Sharma nex- said that under the Act, all correspondance to Government should start with the President, but the President informed him that all correspondance between the Government and the Municipality sh uld pass through the President. He then read out t particular Section for the information of the House

Mr T T Sharma observed that the Commissioner should not write D letters and also com ent on the resolutions

Mr P R Ramiah next observed that there has been a great delay in forwarding the resolution of the Council The resolution has been sent during the time when there was an Official President The was no reason for this inordinate delay in despatching the resoluti

The Presi ent informed the House that under the Act, the Presid President's duty was to forward copies of all resolutions pass in the meeting and accordingly, the resolutions of this meeting, vi 27-3-43 had also been sent to Government But if orders of Governme were sought, then the Municipal Commissioner would refer each resolu tion to Government and get orders Mr B N Gupta said that if this was true, then what some of the members spoke about about delay was not correct

Mr M A Gopalswami Iyengar speaking on the subject said that th Government had turned down their proposal on one ground namely that no case had been made out for the revision and change So they should now make out a case and send up for reconsideration This Market with its income or about 1,25,000/- per annum was one of the very important limbs of this Municipality Its maintenance etc., involved heavy responsibilities and it was but right that all this should be entrusted to an important officer Further, there are other vegetable markets and Slaughter House which have also to be controlled and if an Officer of this rank and grade is appointed he may be entrusted with the management of those markets also. Hence the change passed by the Council was very necessary

While forwarding the resolution, the Commissioner had not furnished his personal opinion on the resolution He had simply sent the qualification etc , of the Market Inspector and has not stated whether the change proposed was necessary or not While the income of the Mysore Market was Rs 40,000/- the income here was about 1,25,000/- and therefore it was very necessary to have an officer of a higher status and pay to be in charge of the Market When the resolution was sanctioned, then they may think of appointing whomsoever they wanted

The President informed the House that the Market Committee did not go into the question whether the Market Superintendent had to supervise the other markets also The resolution of the Council was in respect of the present Market Inspector who is in charge of the Central Market and not of the officer to supervise all markets If they now said that such officer should supervise all markets, then it would be a new proposition altogether

Mr K M Naganna speaking next said that except Mr M A Gopalswami Iyengar no other speaker had gone into the question of strengthening the resolution and making out a case for reconsideration Their criticisms have been done when the Commissioner was not present and it was not proper to do so Instead of doing which they ought to have found ways and means of making out a case for reconsideration The Members have spoken about delay in forwarding the resolution to Government After this resolution was passed in March 1943, so many meetings were held and the Council did not care to find out whether the resolution had been sent or not As re writing D Os, the Commissioner was the Chief Executive and representative of Government in the Municipality and there was nothing in the Act preventing him from expressing his opinion If this was insisted upon, then he would go personally and explain matters As such, such a course would not improve matters their situation He suggested that the whole questi

question may be referred to a Se ect Committee to go into the ques-ie and make a recommendation to Government

Mr A J Khaleel seconding the above suggestion of Mr K M Naga Naganna said that it was clear that every Member was for ap appointing a Market Superintendent to be in charge of the Market Instead of criticising the Commissioner in his absence, if they had re-iterated their previous resolution, it would have been sufficient

Then Mr K M Naganna proposed Messrs B N Gupta, G R Ethirajulu Naidu, A J Khaleel and H C Suryanarayana Rao for the Select Committee and Mr A J Khaleel seconded the same

Mr D Venkataramanappa speaking next said that the Government would not sanction any of their ~~ex~~ proposals without the opinion of the Executive A case should be made out for reconsideration When the Market was yielding Rs 50,000/- a year, there was a Market Inspector and now the income has doubled itself and there was a need for an officer of a higher caare If the Commissioner were here he might have given reasons for his writing the letter to Government in that manner and perhaps his reasons would have convinced them Because he was not present, it was not right for them to ~~et~~ criticise behind his back There was no two opinions about the need for a chan as per resolution, but when that is sanctioned, they should think of having a proper person in that place

Mr M K Narayana Iyengar next observed that it was not right to bring a motion to refer the subject to a Committee after it was thoroughly discussed for such a long time By referring the matter to a Committee they would be unnecessarily putting it off As re the proposition of Mr H C Suryanarayana Rao the Commissioner had no doubt no figu figures at the ~~ex~~ time of the Council meeting But he could have placed a Note before them subsequently There was no haste in passing this resolution, and it was done after a good deal of consideration

Mr B N Gupta also opposed the proposition ~~ex~~ to refer it to a Committee and said that in the discussions that took place he was able to see several opinions, one for creating the post and appointi the present Market Inspector, another to post a new man and a third give wider jurisdiction to the Market Inspector and so on But concrete proposals making making out a case for reconsideration had not been placed before them their opinions may all be gathered by the President and he may make out a case for reconsideration and sanction of the r solution. Mere criticising the action of the Commissioner was no good Instead, it was better they worked out details and made out a case for getting the resolution sanctioned

Then the proposition of Mr K M Naganna to refer to a Select Committee was put to vote and lost, 2 voting For and 11 against

Then the proposition moved by Mr H.C Suryanarayana Rao ' that the Government be requested to reconsider and the President be authorised to write to Government making a case for raising the stat of the Market Inspector to that of the Market Superintendent and revise the scale to 100-10-150' was put to vote and passed

Sd/- C N Narasinga Rao

Honorary Presid

Copy
C N Rao
Honorary President

G R S App F VI—G 2]

SUBJECT

AP 28

OCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS ? ?

THE MAHARAJA OF MYSORE

R E A D :-

Letter No L 9381/Ml.10-43-102 dated the 8th March 1944 to the Municipal Commissioner, Bangalore City, stating that no case is made out either to change the designation or to revise the scale of pay of the Market Inspector, Bangalore City

2 Letter No A5 C 1379/42-43 dated the 22nd May 1944 from the President, Bangalore City Municipal Council, Bangalore, forwarding for sanction of Government, in the circumstances stated, the resolution of the Municipal Council dated the 24th April 1944 to the effect that the orders dated the 8th March'44 read above may be reconsidered and that the designation of the Market Inspector may be changed to that of Market Superintendent and the scale of pay revised from Rs 60-4-80 to Rs 100-10-150 per mensem

O R D E R No L 1238-9/ml 10-43-132

Dated, Bangalore, 7th August 1944.

The resolution of the Municipal Council dated the 24th April 1944 referred to above is sanctioned

for Secretary to Government,
Law Department

To - The Municipal Commissioner, Bangalore City, through the President, Municipal Council
* Comptroller to Government of Mysore.

Cpg/3

G R S App F VI—G 2]

SUBJECT

AB - 28

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Section ml

File No 10-43

Serial No 132

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 2/87 1944

Signed by

Read—Letter no L9381/ml 10-43·102 dt 8 3 44 to the ml Commr, Bdg— stating that no case is made out either to change the designation or to revise the scale of pay of the Market Inspector, Bdg, ~~Order thereon, No.~~ 2 Letter No 45·c 1379/ 42-43 dt 22 5-44 from the Dpty city mle el, Bangalore forwarding for sanction of Govt, in the circumstances stated, the resolution of the mlc el dt 24-4-44 to the

May this be—

(i) printed?

(ii) treated as a Standing Order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

effect that the orders dy 8 3-44
re-d above may be recommended
& that the designation of the
Market Inspector may be
changed to that of Market
Superintendent & the scale
of pay revised from Rs
60-4-80 to Rs 100-10 (150) p-7

Order no L/1238-9 27/8/44

The resolution of the meeting held on the
dated the 24th April 1944 is
sanctioned

Sd/-
Secy to Govt
Law Dept

List of Enclosures

To The Jnl Comm. Bijapur thro' DO L
The Comptroller

Copied by

Examined by

WD 04162—GPB—60 000—23 10 41